IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,)) 8:21CR175
vs.	
ELMER RENE HERNANDEZ,) ORDER
Defendant)
)
	}

This matter is before the court on defendant Elmer Rene Hernandez's unopposed Motion to Continue Trial [80]. For the reasons set forth in the motion, the undersigned magistrate judge finds good cause to grant the motion. The court has been advised that the co-defendant has no objection to the request for continuance. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [80] is granted, as follows:

- 1. The jury trial, **for both defendants**, now set for September 27, 2022, is continued to **November 15, 2022.**
- 2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 15**, **2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
- 3. No further continuances will be granted without counsel for the parties requesting a hearing before the undersigned magistrate judge.

DATED: September 13, 2022

BY THE COURT:

s/ Susan M. Bazis United States Magistrate Judge